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August 11, 2025

Honorable Mark A. Kearney  
Eastern District of Pennsylvania, U.S.D.C.  
6613 U.S Courthouse  
601 Market Street  
Philadelphia, PA 19106

**RE: *Hoagland v. County of Chester, et al***  
**Eastern District of Pennsylvania, U.S.D.C., NO. 2:24-cv-04180**

Dear Judge Kearney:

Bosworth DeAngelo, LLC represents the Plaintiffs in the above-referenced matter. I write with regard to the Court's August 1, 2025, Order dismissing Defendants Upper Dublin School District and Steven Yanni without prejudice, in addition to dismissing Defendant Laurie Smith with prejudice. (ECF 84). It is respectfully submitted that, pursuant to the Court's prior instructions and agreement between counsel for those parties, only Defendant Laurie Smith should have been dismissed with prejudice, and Defendants Upper Dublin School District and Steven Yanni should not have been dismissed.

By way of brief background, on July 30, 2025, the Court entered an Order pertaining to the dismissal of Defendant Laurie Smith by August 1, 2025, and no other Defendants. (ECF 82) In compliance therewith, and in accordance with an agreement between Plaintiff's counsel and counsel for Defendant Laurie Smith to only voluntarily dismiss Defendant Laurie Smith, a Rule 41 Notice of Voluntary Dismissal ("NOVD") for the dismissal of Defendant Laurie Smith, with prejudice, was filed. (ECF 83).

All parties agree that the Rule 41 NOVD should only have dismissed Defendant Laurie Smith with prejudice. (ECF 83). We apologize for any ambiguity that may have been created through the language of the Rule 41 NOVD. It was neither the intention nor expectation of counsel for Plaintiff and counsel for Defendants Upper Dublin School District and Steven Yanni that Defendants Upper Dublin School District and Steven Yanni would be dismissed from this

action. The agreement between counsel and the intention behind the filing of the Rule 41 NOVDO on August 1, 2025 was to only seek the Court's dismissal of Defendant Laurie Smith with prejudice from the case. As a collateral matter, Defendants Upper Dublin School District and Steven Yanni filed a pending motion to dismiss, which was denied as moot upon their dismissal. (ECF 84)

Therefore, Plaintiff respectfully seeks the Court's guidance and instruction as to remedying the dismissal of Defendants Upper Dublin School District and Steven Yanni and restore the parties to the positions they were in prior to August 1, 2025, when it was only intended that Defendant Laurie Smith be dismissed from the action.

Thank you.

Respectfully,

A handwritten signature in blue ink, appearing to read "Thomas E. Bosworth", with a stylized flourish at the end.

Thomas E. Bosworth

ASW